

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

PHYLLIS DAVIS,

Plaintiff,

Case Number 17-12475  
Honorable David M. Lawson

v.

ECHO VALLEY CONDOMINIUM ASSOCIATION,  
CASA BELLA PROPERTY MANAGEMENT, INC.,  
MOISEY LAMNIN, ELLA LAMNIN, and WANDA  
RULE,

Defendants.

---

**STIPULATED ORDER FOR PRELIMINARY INJUNCTION**

Based on the stipulation of the parties,

It is **ORDERED** that in the event defendants Moisey Lamnin and Ella Lamnin decide to lease out Unit No. 115 located at 27635 West Echo Valley, Farmington Hills, MI during the pendency of this litigation that they shall include a contractual clause in the lease that shall prohibit smoking by the tenant(s) and guest(s) of the tenant(s).

It is further **ORDERED** that this stipulated order shall not impact the Lamnin defendants' ability to sell and/or encumber the property deed located at 27635 West Echo Valley, Farmington Hills, MI 48334 Unit No. 115.

It is further **ORDERED** that this stipulated order is not an admission of liability and does not prohibit the Lamnin defendants from presenting any and all possible defenses as to the plaintiff's alleged claims.

It is further **ORDERED** that the plaintiff's motions for preliminary injunction [dkt. #20 and #36] are **DISMISSED WITHOUT PREJUDICE**.

s/David M. Lawson  
DAVID M. LAWSON  
United States District Judge

Dated: January 16, 2018

Stipulated to by:

s/Alan Joseph Gocha  
Alan Joseph Gocha  
Brooks Kushman P.C.  
1000 Town Center  
22nd Floor  
Southfield, MI 48075  
248-226-2755  
Fax: 248-358-3351  
Email: agocha@brookskushman.com  
Attorney for the plaintiff

s/Donald C. Brownell  
Donald C. Brownell  
Vandever Garzia  
840 W. Long Lake Road  
Suite 600  
Troy, MI 48098-6340  
248-312-2800  
Fax: 248-879-0042  
Email: dbrownell@vgpclaw.com  
Attorney for defendants Lamnin

s/Robert J. Huebner  
Robert J. Huebner  
Law Office of Raymond H. Pittman, III  
3245 Levis Commons Blvd.  
Perrysburg, OH 43551  
419-873-2322  
Fax: 419-873-2330  
Email: huebnerr@grangeinsurance.com  
Attorney for the defendants Lamnin

s/Benjamin J. Henry

Benjamin J. Henry  
Makower Abbate Guerra Wegner Vollmer PLLC  
30140 Orchard Lake Road  
Suite 1  
Farmington Hills, MI 48334  
248-671-0137  
Fax: 248-671-0100  
Email: bhenry@maglawpllc.com  
Attorney for defendants Echo Valley and Casa Bella

**PROOF OF SERVICE**

The undersigned certifies that a copy of the foregoing order was served upon each attorney or party of record herein by electronic means or first class U.S. mail on January 16, 2018.

s/Susan Pinkowski  
SUSAN PINKOWSKI